

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEVALOIS LEBRON,

Defendant.

Case No.: 2:09-cr-00431-GMN-LRL

**ORDER**

The Court interprets Defendant's Letter (ECF No. 42) as a Motion for Appointment of Counsel to seek Discretionary Relief in light of *Johnson v. United States*, 135 S.Ct. 2551 (2015). Accordingly,

**IT IS HEREBY ORDERED** that the Federal Public Defender is appointed as counsel to represent the Defendant unless the Federal Public Defender declines the appointment, on the basis of a conflict, no later than fourteen (14) days from the date of this Order. The limited purpose of the appointment of counsel is to determine whether the identified defendant may qualify for federal habeas relief under 28 U.S.C. § 2255 or 28 U.S.C. § 2241 in light of *Johnson*.


**IT IS FURTHER ORDERED** that the Clerk of Court shall distribute a copy of the document filed by the Defendant to the Federal Public Defender, the United States Attorney, and the U.S. Probation Office forthwith.

**IT IS FURTHER ORDERED** that the United States Probation Office for the District of Nevada and the United States District Court Clerk's Office for the District of Nevada are

1 authorized to disclose Presentence Investigation Reports, Statements of Reasons, and  
2 Judgments to the Federal Public Defender's Office for the purpose of determining eligibility  
3 for relief under *Johnson*.

4 **IT IS FURTHER ORDERED** that the Federal Public Defender shall, within 120  
5 days of this Order, file any appropriate motion or stipulation. If the Federal Public Defender  
6 files a motion for habeas relief under 28 U.S.C. § 2255 or 28 U.S.C. § 2241 in light of  
7 *Johnson*, the United States Attorney shall serve any response to such motion within thirty (30)  
8 days of the filing of that motion unless for good cause the time is extended.  
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10 **DATED** this 8 day of December, 2015.

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14 Gloria M. Navarro, Chief Judge  
15 United States District Judge  
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